

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Windham Board of Education

Appearing on behalf of the Parents: Mother, pro se

Appearing on behalf of the Board: Mr. Jeffrey Forman  
Director of Special Services  
Windham Public Schools  
322 Prospect Street  
Willimantic, CT 06226

Appearing before: Attorney Patricia M. Strong, Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUE:**

Did the Board fail to respond in a timely manner to the Parent's request for an independent educational evaluation in violation of 34 C.F.R. § 300.502(a)(2) of the IDEA regulations?

**PROCEDURAL HISTORY**

The Parents (Mother) requested this hearing by mailing a hearing request form dated July 2, 2010 to the State Department of Education and the Board. The Board received a copy of the request on July 6, 2010. This Hearing Officer was assigned to the case on July 9, 2010. A prehearing conference was held on July 21, 2010 with the Mother, her advocate and the Board's Director of Special Services. The Board's representative stated that the Board had filed a due process request to defend its evaluation on July 1, 2010, which was assigned to another hearing officer. One issue was identified for hearing in this case. A hearing date was scheduled for August 25, 2010 and the mailing date for the final decision was set at September 20, 2010. The Parent sent a letter following the prehearing conference outlining the issue with greater detail, along with copies of documents pertaining to the Board's due process request.

On August 11, 2010, the Parent's advocate e-mailed a letter to the Hearing Officer stating that as a result of mediation earlier that day, both parties agreed to withdraw their hearing requests. On August 17, 2010, the Hearing Officer received a letter from the Parent stating that she wished to withdraw her due process hearing request.

**FINAL DECISION AND ORDER:**

It is ordered that this case shall be dismissed.